

Appl. No. 09/376,017

Amdt. dated July 15, 2004

Reply to Office action of March 15, 2004

REMARKS

Reconsideration of this application is respectfully requested.

Claims 1-10, 12-18 and 20-21 were rejected. Claim 17 is amended. New claims 23-34 are added.

Support for new claims 23- 25 and 29-31 is provided at page 19, lines 8-14 and page 20, lines 2-5. No new matter is added.

Support for new claims 26, 27, 32 and 33 is provided at page 23, lines 16-24. No new matter is added.

Support for new claims 28 and 34 is provided at page 13, lines 15-22. No new matter is added.

The claims were rejected under 35 U.S.C. § 103 as obvious over Christie et al. (US 6,182,117) in view of Hughes (US 5,892,908). This rejection is respectfully traversed.

Claim 1 requires:

(a) identifying changes to files in the **master source file set** on a master computer; [Emphasis added]

Therefore, the independent claims should be patentable over the combination of Christie and Hughes.

The combination of Christie and Hughes fails to disclose or suggest these features.

The Action alleges at page 3, first bullet, that Christie teaches identifying changes to files in the master source file set on a master computer. However, as the Patent and Trademark Office has already correctly admitted at page 5 of the Official Action dated July 21, 2003, "Christie et al. is silent regarding utilizing a master computer." That same Official Action correctly acknowledged at the bottom of page 4 that col. 3, lines 9-65 and col. 5, lines 13-20 of Christie only teach "identifying changes in the source files set (identifying changes made to object in local site's database" The allegation in the current office action that the very same passages of

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Christie suggest "identifying changes to files in the master source file set on a master computer," is completely unfounded.

Christie describes a store and forward messaging network (such as an email system) used to replicate data between computer sites. Each site has a replication agent. (See col. 3, lines 37-46 of Christie.) The agent of each site communicates with the agent of the other sites. A site-by-site determination is made of the files that need to be updated in each respective site.

Christie fails to teach or suggest the claimed use of the master source files set on a master computer. In contrast, each of Christie's sites has an agent which uses information from the other sites to determine which files need to be updated. Christie thus does not describe "identifying changes to files in the master source file set on a master computer" Christie has no master source file set or master computer, and so each site determines what files need to be updated independently, and each site receives an independent list of files to be updated. This is at least in part because Christie is distributed, rather than centralized.

Therefore, Christie fails to disclose or suggest the features of claim 1. Hughes was cited for teaching converting a local host address to a URL. However, Hughes fails to cure the deficiency of Christie with respect to the "identifying" feature of the independent claims.

Hughes describes a method of extracting network information, including receiving an initial link address that points to a file, retrieving the file associated with the initial link address, parsing the file to find a hyper text link that points to a link file, determining if the hyper text link has a link address that contains the initial link address as a root, and when the link address contains the initial link address as the root, retrieving the link file associated with the link address. Hughes system is used to systematically extract network content for bundling on a local medium, so that web content can be stored and viewed locally.

Thus, Hughes describes a one-time process for forming a local copy. However, Hughes' method has nothing to do with identifying changes to files in a master source file set on a master computer. Even assuming for purpose of argument that the various web pages on the internet are a master source files set, Hughes offers no suggestion as to how changes made in the master source file set are identified, or of notifying the computer, on which the local copy is made, of the change. In Hughes system, the web server from which the source content is obtained is

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totally unaware of the existence of the local copy. No means is identified for providing change notifications to any computers that have visited the site, much less to a computer that has made a local copy, of which the web server is also unaware.

The only mention of an "update" in Hughes is an update of a retrieval database to reflect that a file has been downloaded to the local copy. (Col. 4, lines 19-22). This has nothing to do with changes to the contents of the files themselves.

The combined teachings of Christie and Hughes still fail to disclose or suggest the above recited feature of claim 1. Christie and Hughes, whether taken alone or together fail to disclose or suggest "identifying changes to files in the master source file set on a master computer." Therefore, a prima facie case of obviousness has not been established.

All of the other independent claims should be allowable for similar reasons to those set forth above with reference to claim 1. Claims 12, 15, and 20 all include an identifying step or identifying means for identifying changes to files in the master source file set on a master computer. Claim 16 recites, "providing notification of changes to a master source file set on a master computer to the host in a modification list comprising the uniform resource locators." Just as the combination of Christie and Hughes fails to disclose or suggest identifying the changes in a master source file set, they further fail to disclose or suggest providing notification of those changes, as required by claim 16.

Because all of the independent claims are not subject to rejection over the combination of Christie and Hughes, the dependent claims should also be allowable.

The dependent claims should be patentable for at least the same reasons. The dependent claims include additional features that support patentability.

For example, amended claim 17 requires a "traffic manager automatically directing web page requests to the web server." The action alleges that this feature is taught by Christie's moderator 314 at col. 10, lines 34-53. However, **Christie's moderator is a person (i.e. a forum member), who does not do anything automatically.** More specifically, Christie's moderator 314 does not direct automatically web page requests to a server, as required by claim 17. Christie's moderator 314 has the following functions:

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"Moderator 314 has privileges to read, create, reply to and delete forum documents. Moderator privileges are given to at least one forum member. Moderator 314 can specify the access privileges of other forum members. Moderator 314 handles requests for membership to the forum. Moderator 314 reviews a request for forum enrollment, or membership, and explicitly grants or denies membership. "

Reading, creating, replying to and deleting forum documents is not automatically directing a request for a web page (or other document) to a server. Handling requests for membership (reviewing a request and granting or denying the request) is not automatically directing a request for a web page (or other document) to a server. Thus, the function of Christie's moderator is neither the same as nor equivalent to the traffic manager required by claim 17, and claim 17 should be separately patentable.

New claims 23-34 all recite additional features that are neither disclosed nor suggested by the combination of Christie and Hughes. Each of these claims should also be separately patentable.

In view of the foregoing amendments and remarks, Applicant submits that this application is in condition for allowance. Early notification to that effect is respectfully requested.

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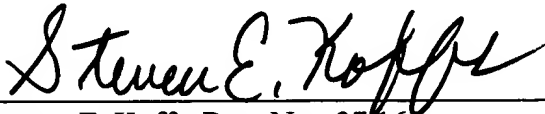
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The Assistant Commissioner for Patents is hereby authorized to charge any additional fees or credit any excess payment that may be associated with this communication to deposit account 04-1679.

Respectfully submitted,

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Steven E. Koffs, Reg. No.: 37,163

Attorney For Applicants

DUANE MORRIS LLP
One Liberty Place
Philadelphia, Pennsylvania 19103-7396
(215) 979-1250 (Telephone)
(215) 979-1020 (Fax)